

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARTIN ONTIVEORS,  
Plaintiff,

v.

JOHN DOE,  
Defendant.

Case No. [15-cv-02719-WHO](#) (PR)

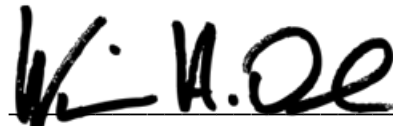
**ORDER OF DISMISSAL**

In June, plaintiff Martin Ontiveors wrote a letter to the court complaining that he cannot get medical help for pain in his back. I granted him in forma pauperis status but because cases are initiated by plaintiffs by means of a complaint, not a letter, I ordered that he file a complaint by October 1, 2015. He has not done so. Accordingly, this federal civil rights action is DISMISSED without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, Ontiveors may move to reopen the action. Any such motion **must** contain a complaint using this Court's form.

The Clerk shall enter judgment in favor of defendant, and close the file.

**IT IS SO ORDERED.**

**Dated:** October 7, 2015

A handwritten signature in black ink, appearing to read "W. H. Orrick", written over a horizontal line.

WILLIAM H. ORRICK  
United States District Judge

United States District Court  
Northern District of California